IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP NO.15955 of 2006

DATE OF DECISION: October 9, 2006

Social Association for Welfare Education & Rural Awareness

….Petitioner

VERSUS

Union of India and others

…..Respondents

CORAM:- HON'BLE MR. JUSTICE VINEY MITTAL
HON'BLE MR. JUSTICE H.S.BHALLA

PRESENT: Shri B.B.Bagga, Advocate for the petitioner.

Viney Mittal,J.(Oral).

The petitioner has approached this Court for issuance of directions to the respondents to act as per law and public policy in the context of implementation of the social welfare scheme described as SWA Shakti Project. A further claim has been made to settle the claims of the petitioner in accordance with the policy and contract, without any discrimination and to make the requisite payments.

After hearing the learned counsel for the petitioner and taking into consideration the averments made in the present petition, we find that the petitioner had served a legal notice dated September 12, 2005 (Annexure P.5) claiming the reliefs which the petitioner has claimed before this Court. The aforesaid legal notice was replied by the Managing Director of Haryana Women Development

Corporation, respondent No.3. The claim of the petitioner was contested. In the

aforesaid reply to the legal notice, the respondent No.3 maintained that all the outstanding payments due to the petitioner had already been made and no further amount was due. The respondent No.3 has also maintained that the work of the petitioner was not satisfactory at all.

The aforesaid stand of the respondent No.3 has in fact been denied by the petitioner in the present petition.

In view of the aforesaid facts and circumstances of the case, we are satisfied that the petitioner has raised disputed questions of fact which can only be determined on production of evidence.

Consequently, we dispose of the present petition and relegate the petitioner to seek its remedies before the Civil Court, if so advised.

(Viney Mittal)
Judge

October 9, 2006
KD

(H.S. Bhalla)
Judge